

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

DEREK RYAN SCHELL,)	
)	
Petitioner,)	
)	
vs.)	No. CIV-12-860-C
)	
MARVIN VAUGHN, Warden)	
at W.S.K.C.C., STATE OF OKLAHOMA,)	
)	
Respondent.)	

ORDER

Upon consideration of Petitioner's Objection to Report and Recommendation and Request for Summary Judgment (Dkt. No. 9), it appears the filing fee was, indeed, credited to the wrong case. The error has now been corrected, the filing fee paid, and accordingly the Court declines to adopt the Report and Recommendation of the Magistrate Judge, and returns the case to Judge Erwin under the original order of referral. Petitioner's request for summary judgment is unsupported and is overruled.

IT IS SO ORDERED this 18th day of September, 2012.



ROBIN J. CAUTHRON
United States District Judge